IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35948 of 2007(D)

PETITIONER:

M/S.NEST FOODS & BEVERAGES CORPORATION,
XIX/344. THYNOTHIL LANE, ALUVA, ERNAKULAM DISTRICT
REPRESENTED BY ITS MANAGING PARTNER,
NISHI JAHANGIR.

BY ADV. SRI.V.P.SUKUMAR

RESPONDENTS:

---

1. THE SALES TAX OFFICER, ALUVA.

2. THE SALES TAX APPELLATE TRIBUNAL,
ADDITIONAL BENCH, ERNAKULAM.

3. THE SPECIAL TAHSILDAR(RR)
ALUVA.

BY GOVT. PLEADER SRI GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 35948 OF 2007

Dated: December 5, 2007

JUDGMENT

Against Ext.P1 order of assessment which was confirmed by the Appellate Authority by Ext.P2, the petitioner has filed Ext.P3 appeal before the 2nd respondent Tibunal. The petitioner has also filed Ext.P4 application for stay, Since orders are not passed either in the appeal or in the stay petition, this petition has been filed for expediting the matter. In the meanwhile the petitioner is also facing revenue recovery proceedings by virtue of Exts.P5 and P6 notices.

2. Taking into account the submission made by the petitioner, I dispose of this writ petition directing that the 2nd respondent shall consider Ext.P4 application for stay filed by the petitioner and dispose of the same within three weeks from the date of receipt of a copy of this judgment. In the meanwhile further proceedings pursuant to Exts.P5 and P6 will be deferred for four weeks. The petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE

mt/-

Page numbers